

EXHIBIT A



CITY of NAPA

CITY OF NAPA
CITY CLERK

05 SEP 23 PM 4:56

VERIFIED CLAIM AGAINST THE CITY OF NAPA

CITY CLERK
955 School Street
Mailing Address:
P.O. Box 660
Napa, California 94559-0660
(707) 257-9503
FAX # (707) 257-9534
www.cityofnapa.org

**TO: CITY OF NAPA
C/O CITY CLERK'S DEPARTMENT**

Date: ~~9/23/05~~ 9/23/05

The undersigned hereby presents the following claim against the City of Napa in accord with the provisions of Government Code Section 900 et seq.

1. Name and Address of Claimant: ROBERT J. JONES
2063 MAIN ST. # 510
OAKLEY, CA. 94561-3302
Telephone Number (Work) _____ (Home) _____

2. Mailing address to which notices from the City are to be directed:

2063 MAIN ST. # 510
OAKLEY, CA. 94561-3302

3. Date of Incident: MARCH 24, 2005 Time of Incident: ~ 2:00 A.M.

Location of Incident: ON OR NEAR THE PREMISES OF THE "NAPA REGISTER",
2nd ST., NAPA, CA.

4. Description of the Incident or Accident including your reason for believing that the City is liable for your

damages: MEMBERS OF THE NAPA POLICE DEPARTMENT USED
EXCESSIVE AND UNREASONABLE FORCE IN DETAINING AND
ARRESTING CLAIMANT

5. Description of all damages which you believe that you have incurred as a result of the incident:

INJURIES TO WRISTS, KNEES, AND AGGRAVATION OF
PREVIOUS INJURIES TO CHEST, RIGHT SHOULDER, AND BACK.

6. The name(s) of any City employee(s) and/or department(s) causing the damages that you are claiming:

NAPA POLICE OFFICERS PETERSON (#138), WPCURCH (#126)
AND THOMSON

7. Type of vehicle involved (license, description, make, model):

Your's: NONE City's: _____

8. If the amount claimed is \$10,000.00 or less, specify the amount of the claim, including the estimated amount of any prospective injury, damage or loss insofar as it may be known at this time (please attach all estimates if available)

9. If the amount claimed exceeds \$10,000.00 indicate which court would have jurisdiction:

Municipal Court: _____ Superior Court: ☒

NOTE: At the time of the preparation of this form, the Municipal Court generally had jurisdiction over cases at law in which the demand is \$25,000.00 or less, and the Superior Court generally had jurisdiction over cases at law which exceed that amount.

10. If this is a claim for indemnity, on what date were you served with the underlying lawsuit? _____

11. Was the Police Department contacted? _____ Yes _____ No P.D. Report # _____

~~I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT, AND TO THE BEST OF MY KNOWLEDGE, I HAVE COMPLIED WITH THE PROVISIONS OF THE GOVERNMENT CODE.~~
 I AM AUTHORIZED BY THE CLAIMANT, WHO IS IN CUSTODY OF THE NAPA CO. SHERIFF, TO FILE THIS CLAIM ON HIS BEHALF

Signed: Michael P. Thomson
 (Claimant)

Witness: _____

Witness Name: _____

Address: _____

Telephone: _____

I HEREBY AUTHORIZE release of medical records to the custody of the city's Claims Administrator, George Hills Company.

Signed: _____

Submit to: City of Napa
 City Clerk's Department
 P.O. Box 660
 955 School Street
 Napa, CA 94559
 (707) 257-9503

SCANNED

DEC 28 2005

Initials *cb*

STATE OF CALIFORNIA }
COUNTY OF NAPA } SS
CITY OF NAPA }

I, Rebecca Ryan, Deputy City Clerk in and for the City of Napa, State of California, do hereby certify the attached to be a full, true and correct copy of a Verified Claim against the City of Napa submitted on behalf of Robert J. Jones and dated 9/23/05 as the same appears on record in my office, with the original of which said copy has been compared by me, and is a true transcript therefrom.



IN WITNESS WHEREOF I have hereunto set my hand and affixed the Seal of said City, at my office in the City of Napa, this July 16, 2008.

Rebecca Ryan
Deputy City Clerk of the City of Napa

EXHIBIT B

CITY OF NAPA
c/o George Hills Company, Inc.
313 Lennon Lane, Ste. 200
Walnut Creek, CA 94598
(707-645-7757)

Claim of ROBERT J. JONES)	
)	NOTICE OF REJECTED
Claimant,)	CLAIM FOR DAMAGES
v.)	
CITY OF NAPA)	
)	(Gov. Code 913)
Respondent.)	
)	

TO: Robert J. Jones
2063 Main St.
Oakley, CA 97415

NOTICE IS HEREBY GIVEN that the claim, which you presented to the CITY OF NAPA on September 23, 2005 was rejected on October 21, 2005.

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice is personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. This notice does not apply to any claim you may have under federal law, and your time for filing an action on any federal law claim may be less than six months.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Please be advised that pursuant to Sections 128.7 and 1038 of the California Code of Civil Procedure, the City of Napa will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that action was not brought in good faith and with reasonable cause.

DATED: October 21, 2005

Claim No. 05-061
File No. 1-93498-24

cc: City of Napa

Kerry John Whitney, RPA
Claims Manager
George Hills Company, Inc.
Claim Administrator for
CITY OF NAPA

PROOF OF SERVICE - C.C.P. 1013A, 2015.5

I, Rosanne Denstedt, declare that:

1. I am employed in the County of Contra Costa, California; I am over the age of eighteen years and not a party to the within cause; and my business address is 313 Lennon Lane, Suite 200, Walnut Creek, CA 94598.

2. I am readily familiar with the practice of the City of Napa for the processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for processing.

3. On October 26, 2005 I served the following document(s)

**NOTICE OF REJECTED CLAIM FOR DAMAGES
Claim of Robert J. Jones**

in said cause, on the following interested parties:

Robert J. Jones
2063 Main St.
Oakley, CA 97415

4. Said service was performed in the following manner:

X **BY U.S. POSTAL SERVICE (Mail):** I placed each such document in a sealed envelope addressed as noted above, with first-class mail postage thereon fully prepaid, for collection and mailing at Walnut Creek, California, following the above-stated business practice, on this date.


BY PERSONAL SERVICE: I hand-delivered each such envelope to the address[es] listed on this date.

BY COURIER/MESSENGER SERVICE (Hand Delivery): I caused each such envelope to be delivered by hand to the address[es] listed above on this date.

BY FACSIMILE: I caused said document[s] to be transmitted by facsimile machine to the parties at the number[s] indicated above on this date.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed October 26, 2005 at Walnut Creek, California.

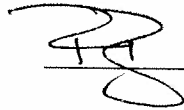

Rosanne Denstedt

STATE OF CALIFORNIA }
COUNTY OF NAPA } SS
CITY OF NAPA }

I, Rebecca Ryan, Deputy City Clerk in and for the City of Napa, State of California, do hereby certify the attached to be a full, true and correct copy of a Notice of Rejected Claim for Damages served to Robert J. Jones and dated 10/21/05 as the same appears on record in my office, with the original of which said copy has been compared by me, and is a true transcript therefrom.

IN WITNESS WHEREOF I have
hereunto set my hand and affixed the
Seal of said City, at my office in the
City of Napa, this July 16, 2008.





Rebecca Ryan
Deputy City Clerk of the City of Napa

EXHIBIT C

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF NAPA
MINUTE ORDER**

Case: People vs. Jones, Robert Jeffery (F)
Judge: Philip A. Champlin
Courtroom: Department F
Event: Hearing: Probation Report-Sent.
PID # : 200500799-01

Case # CR120941
Event Date: December 15, 2005
Clerk: K. Tonascia
Reporter: B. Duncan
Cite/Report #: 05-3101

Appearances:

M. Bosenecker, DDA
Michael Thorman, Counsel for Defendant
Defendant present IN CUSTODY

The Defendant's motion for reduction to misdemeanor pursuant to P.C. 17(b) is hereby DENIED without prejudice.

Defendant waives formal arraignment for sentencing.

No legal cause having been shown and none appearing to the Court as to why judgment and sentence should not be pronounced at this time, it is the judgment of the Court that the Defendant is guilty of a violation of P.C. Section 594(a).

The Court orders imposition of sentence shall be suspended and FORMAL PROBATION shall be GRANTED for a period of three years, under the following terms and conditions:

That the Defendant shall serve 354 days in the County Jail with credit for time heretofore served of 236 actual days in custody plus 118 P.C. 4019 credits for a total of 354 days credit.

The further terms and conditions of Probation shall be as set forth in the Probation Officer's Report of December 15, 2005, Conditions #1 through # 21.

The Defendant understands and agrees to comply with the terms and conditions of Probation.

The Defendant is advised of his right of appeal.

The Defendant is instructed to report to PCS and the probation department when released from custody.

-o0o-

I hereby certify the document herein
to be a true and correct copy of the
original on file with this court.

Dated: 7/18/07

Clerk of the Napa Superior Court

BY: [Signature]

